

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CALVIN SCOTT, SR.,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:05-CV-651-WKW
)	(WO)
JAMES (BUDDY) SWEARENGIN, JR., <i>et al.</i> ,)	
)	
Defendants.)	

CALVIN SCOTT, SR.,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:05-CV-652-WKW
)	(WO)
RAY DENNIS, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On October 17, 2008, the Magistrate Judge filed a Recommendation in the above-styled cases. (Doc. # 57.) Plaintiff Calvin Scott ("Mr. Scott") filed an objection to the Recommendation on October 29, 2008. (Doc. # 59.) Upon an independent and *de novo* review of those portions of the Recommendation to which objection is made, 28 U.S.C. § 636(b)(1)(C), it is ORDERED as follows:

1. Mr. Scott's objection (Doc. # 59) is OVERRULED;
2. the Recommendation (Doc. # 57) is ADOPTED;
3. the decision of the Department of Education arbitration panel is AFFIRMED;

4. Mr. Scott's federal claims are DISMISSED with prejudice; and

5. the court declines to exercise supplemental jurisdiction over Mr. Scott's state law claims pursuant to 28 U.S.C. § 1367 and, thus, these claims are DISMISSED without prejudice.

An appropriate judgment will be entered.

DONE this 30th day of October, 2008.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE